

APPROVED 11-17-16
TOWN OF NORTH HAVEN, CONNECTICUT
MINUTES OF THE
ZONING BOARD OF APPEALS

A meeting of the Zoning Board of Appeals was held on Thursday, September 15, 2016 at the Mildred A. Wakeley Community and Recreation Center, 7 Linsley Street, in Room #2 at 7:30 PM.

MEMBERS PRESENT:

Robert F. Hannon, Chairman
Donald F. Clark, Secretary
A.J. Wambolt
William D. O'Hare, Alternate, sitting for Joseph P. Villano

MEMBERS ABSENT:

Caren M. Genovese, Vice Chairman
Joseph P. Villano
Jacob M. Piekarski, Alternate
Robert A. Lockery, Alternate

TOWN PERSONNEL:

Alan A. Fredricksen, Land Use Administrator
Sandra Lion, Clerk

OTHERS PRESENT:

Mary Lee Rydzewski, Public Stenographer

AGENDA:

Mr. Hannon, Chairman, opened the meeting at 7:30 PM and introduced the members of the Board, the Town staff, and the stenographer. Then, he explained that under the Connecticut State Statutes for an appeal request to be approved, the applicant needs a minimum of four (4) Board members to concur.

PUBLIC HEARINGS:

Mr. Clark read the call for the first Public Hearing:

1. #16-09 Special Permit Application of Maple Avenue Repair Service, LLC, Applicant, Maple Avenue Investments, LLC, Owner, relative to 326 Old Maple Avenue, (Map 37, Lot 98) per the Connecticut General Statutes Sections 14-54 and 14-55, seeking a Certificate of Location for a General Repairer's License. IL-80 Zoning District.

Attorney Richard Fennelly of Updike, Kelly and Spellacy presented the application for a Certificate of Location for a General Repairer's License. He explained why this site meets all the criteria for a repairer's license and submitted an aerial photograph of the site as Exhibit A. Then, he stated that the hours of operation will be Monday through Saturday from 8:00 a.m. to 5:00 p.m. The Board asked questions and Attorney Fennelly responded.

Mr. Hannon asked for public comment. There being no public comment, the Public Hearing was closed.

Mr. Clark read the call for the last Public Hearing:

2. #16-10 Application of Learco Capozzo, Applicant and Owner, relative to 23 Maple Avenue, (Map 60, Lot 160), requesting a fence height variance of 3' to permit a 6' high fence in a front yard where 3' is permitted. R-20 Zoning District.

Attorney John Lambert of 25 Trumbull Place, North Haven and Mr. Lee Capozzo, applicant and owner of 23 Maple Avenue, presented the application to permit a 6' high fence in a front yard where only 3' is permitted. Attorney Lambert stated that this property is unique because of its triangular shape and only having one side yard. Then, he submitted a letter from Donald and Debra Beckwith, owners of 24 Maple Avenue, in favor of the application as Exhibit A and a letter from Teresa Capozzo, owner of 22 Maple Avenue, in favor of the application as Exhibit B. The Board asked questions and Attorney Lambert and Mr. Capozzo responded. Then, Mr. Capozzo submitted a fence proposal from Guilford Fence as Exhibit C and answered a few more questions from the Board.

Mr. Hannon asked for public comment.

Public Comment:

1. Pam Parella, 25 Trumbull Place, stated that the fence will help with the dust from gas station and buffer noise from traffic.

There being no further public comment, the Public Hearing was closed.

DELIBERATION SESSION:

PUBLIC HEARINGS:

1. #16-09 Special Permit Application of Maple Avenue Repair Service, LLC, Applicant, Maple Avenue Investments, LLC, Owner, relative to 326 Old Maple Avenue.

Mr. Clark moved to approve the application; Mr. Wambolt seconded the motion. The Board voted as follows:

Hannon – aye Clark – aye Wambolt – aye O'Hare – aye

The application was approved.

2. #16-10 Application of Learco Capozzo, Applicant and Owner, relative to 23 Maple Avenue.

Mr. Wambolt moved to approve the application; Mr. Clark seconded the motion. The Board voted as follows:

Hannon – aye Clark – aye Wambolt – aye O’Hare – aye

The application was approved.

In approving the application, the Board stated the following:

1. The fence is limited to 112 linear feet, (as stated in the contract from Guilford Fence Works dated June 20, 2016), and must be installed north of the northerly driveway curbcut.
2. The triangular shape of the property is the hardship.
3. The variance was approved for the health, welfare and safety of the homeowner and his family.

OTHER: None

CORRESPONDENCE: None

MINUTES:

August 25, 2016

Due to the lack of a quorum, the August 25, 2016 meeting minutes could not be approved at this meeting.

ADJOURN:

There being no further business, Mr. O’Hare moved to adjourn; Mr. Clark seconded the motion; the Board unanimously approved the motion. The meeting was adjourned at 8:07 PM.